

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Status of Claims:

No claims are currently being canceled

Claims 1, 2, 4-10, 14, 15, 18 and 21 are currently being amended.

No claims are currently being added.

This amendment amends claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-5, 9, 12-16 and 20 are now pending in this application for examination on the merits, whereby claims 6-8, 10, 11, 17-19, 21 and 22 are pending but are withdrawn from consideration as being directed to a non-elected invention.

Indication of Allowable Subject Matter:

Applicants appreciate the indication of allowable subject matter made in the Office Action with respect to claims 9 and 20.

Claim Rejections – Prior Art:

In the Office Action, claims 1-5 and 12-16 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,694,131 to Lakkis. This rejection is traversed for at least the reasons given below.

Claim 1 is directed to a radio communications apparatus for simultaneously transmitting a local oscillation signal used when an intermediate frequency band signal is converted to a radio frequency band signal by a mixer unit. The claimed radio communications apparatus is used with a transmitter, whereby Lakkis relates to a circuit used with a receiver (see Abstract of Lakkis, for example, “Adaptive image rejection in a wireless communication receiver . . .”).

The circuit of Lakkis cannot be used with a transmitter, and thus it is not especially pertinent to the presently pending claims under rejection.

Accordingly, presently pending independent claim 1, as well as presently pending independent claims 12 and 14 which are also used with a transmitter, patentably distinguish over Lakkis.

Conclusion:

Since all of the issues raised in the Office Action have been addressed in this Amendment and Reply, Applicants believe that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 6/17/2009

By 

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 945-6014
Facsimile: (202) 672-5399

George C. Beck
Registration No. 38,072

Phillip J. Articola
Registration No. 38,819